REMARKS

Reconsideration of the above-identified application, as amended, is respectfully requested.

This is in response to the P.T.O. communication of July 24, 2003 requesting that the prior amendment submitted May 19, 2003 be placed in compliance with proper amendment format as outlined in 37 C.F.R. §1.121. In applicant's prior response of May 19, 2003, and, as the Examiner correctly noted, several claims, e.g., Claim 1, did not match the claims as originally filed. This response, for intent and purpose, is identical to the amendment submitted May 19, 2003 however, several claims, e.g., Claim 1 (amended herein) and Claims 7, 16, 19, 26 and 29 have been corrected to correspond to their form as originally filed.

In the Official Action dated February 20, 2003, the Examiner first objected to the specification as failing to properly incorporate by reference applicant's co-pending patent applications due to missing Patent application numbers. In response, applicant hereby amends the specification to incorporate the assigned United States Patent Application Serial numbers for the indicated omissions on pages 10, 11 and 22.

Further in the Office Action, the Examiner rejected Claims 27 and 30 as failing to provide proper antecedent basis for the claimed subject matter, and specifically regarding the term "said presenting step". In response, applicant hereby amends Claims 25, 27 and 29 to change their respective dependencies in order to provide the correct antecedents.

Further in the Office Action, the Examiner rejected Claims 1-6, 10, 11, 13-18 and 23-28 under 35 U.S.C.§102(e) as being anticipated by Sennett (United States Patent No. 6,400,940) ("Sennett") and rejected Claims 12, 22 and 32 under 35 U.S.C.§103(a) as being unpatentable over Sennett.

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Particularly, with respect to the rejection of independent Claims 1, 13 and 23 as being anticipated by Sennett, applicant respectfully disagrees and hereby amends each of Claims 1, 13 and 23 to clarify and set forth the concept of the system and method enabling a user to initiate an asynchronous request for data to be communicated to a wearable appliance via a first wireless data transmission channel of a first communications sub-system, whereby the asynchronous request is transmitted via a second transmission channel of a second communications sub-system. In the embodiments described in the specification and shown in Figure 6, for instance, the communications sub-system over which asynchronous requests are generated include wired communications media such as a telephone system (Claims 4, 16 and 26) or, user's web-browser (Claims 7, 19 and 29) and the receipt of the data at the appliance is via a wireless connection.

According to the invention, the concept of asynchronous requests and the central idea behind demand pull is illustrated by the following example: Supposing a user has access to his/her e-mail through a voice interface and the voice interface implements functionality to present the date, subject, and the sender by a voice communication. Depending on this information the user may mark this message as something he/she wants to retrieve in text form to that user's wearable/portable device. Then the user goes to the next message. If that user does not want it delivered now, that user may just skip it. This is the "demand pull". Thus, this is a scenario where all that user's e-mail is not simply routed to his/her phone - if that were the case it would be a simple "push". A simple "pull" would be where that user connects to a network and requests all his/her data to be sent. Thus, in the present invention, a user indicates over one communication channel (e.g. a wired communications media what data that user wants sent to him/her and, the system

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asynchronously sends the requested data to the user over a second (wireless) communication channel to his/her portable appliance.

The cited reference to Sennett is directed only to a customized on-line user guide whereby voice messages may be played back in response to DTMF entries or voice based commands. In Sennett, all communications are sent and received over a single (common) communications network, the novelty of Sennett being the ability to determine the type of mobile device requesting the communication so that help commands appropriate for that device may be generated for communication back to the requesting device over the same communications channel. This is not a "demand pull" scenario as in the present invention, i.e. Sennett does not have any asynchronous element, but rather, is a simple query/response system over one communications channel. More specifically, Sennett's system may be likened to a home answering machine system whereby, via one media, a user may call his/her answering machine and receive help messages on how to retrieve messages or turn the answering machine off, change the greeting, etc., via the same media.

In view of the foregoing, the Examiner is respectfully requested to withdraw the rejection of Claims 1-6, 10, 11, 13-18 and 23-28 under 35 U.S.C.§102(e).

With respect to the rejection of independent Claims 12, 22 and 32 as being unpatentable over Sennett, applicant respectfully disagrees. In the rejection of Claims 12, 22 and 32, the Examiner alleges that it is known to provide alarm mechanisms to signal reception of data at a requested time. In the present invention however, the use of alarms is for the purpose of reducing power consumption. Thus, according to the invention, if a PDA device has a simple cell phone connection (a first communications sub-system) and a more expensive 3G connection (e.g., a second communications sub-system), the user may desire the simple phone connection to always remain turned on. The more expensive 3G connection is turned

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on demand. The user uses the simple phone connection (first communications sub-system (as Claimed in Claims 1, 13 and 23) to specify what he/she wants from the server. Then, implementing the alarm mechanism, the server alerts him/her via the simple phone connection that the data he requested is ready. The user then turns on the more expensive 3G phone connection. The expensive connection is turned off automatically after the last piece of data is received. Therefore, applicant submits that this alarm mechanism is used to place the data receiver device (e.g., a more expensive 3G phone connection) in a receive mode for receiving the data communications at a requested time over the second communications sub-system. Respectfully, this is quite different from the prior art alarms received, e.g., when the user gets an e-mail, and the like, which is not for purposes of facilitating energy conservation.

Thus, the Examiner is respectfully requested to withdraw the rejection of Claims 12, 22 and 32 under 35 U.S.C.§103(a) as being unpatentable over Sennett.

In view of the foregoing remarks herein, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance be issued. If the Examiner believes that a telephone conference with the Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned, Applicants' attorney, at the following telephone number: (516) 742-4343.

Respectfully submitted,

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